

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 23, 29-34 will be pending in the application subsequent to entry of this Amendment.

Claim 1 is amended to delete trimethylethylenediamine and add new claim 34 directed to the species noted by the Examiner on page 2, third paragraph of the Official Action.

In the Official Action claims 23 and 29-33 are rejected as being unpatentable/obvious over Heinemann et al. U.S. 6,306,920 in view of Tideswell et al. U.S. 4,107,229. In the discussion in support of the rejection the Examiner specifically mentioned that Tideswell discloses trimethylethylenediamine. This amine compound is deleted from claim 23 thereby rendering amended claim 23 as well as dependent claims 29 and 33 patentable over the combination of documents cited and implied in the Official Action.

New claim 34 is free of the prior art for the reasons indicated on page 3 of the Official Action.

Also included in the Official Action is an obviousness-type double patenting rejection over claims 1-17 of U.S. Patent 6,777,456 in view of the secondary reference. The Examiner will note that Applicants have already addressed this issue and that on August 10, 2004 a Terminal Disclaimer was filed over Serial No. 10/780,669 which is the application from which the '456 patent issued. Attached please see a copy of the face page of the issued patent and note the serial number. Counsel believes that the Terminal Disclaimer relating to the underlying application also pertains to the issued patent. If the Examiner considers otherwise, please contact the undersigned and a further disclaimer or other appropriate action will be taken.

For the record it will be noted that a provisional obviousness-type double patenting rejection was advanced in the Official Action June 9, 2004 and responded to with the Terminal

KISO, H. et al.
Appl. No. 10/780,669
March 27, 2006

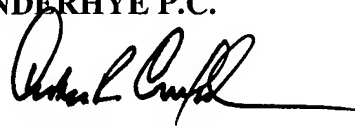
Disclaimer mentioned above. Further Official Actions do not include any rejections based upon obviousness-type double patenting.

For the above reasons it is respectfully submitted that the claims of this application are defined under the subject matter. Reconsideration and Allowance are solicited.

Respectfully submitted,

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